

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CR. NO. 2:06-cr-12-F
	)	
CRAIG M. CANADY	)	

RESPONSE TO MOTION TO SUPPRESS STOP AND SEIZURE

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and in response to the Motion to Suppress filed by Defendant Canady, the following is submitted:

1) On January 15, 2006, Alabama State Trooper Will Barnes was on patrol and observed a tractor trailer change lanes in front of another vehicle that was forced to brake. Trooper Barnes stopped the tractor trailer for an unsafe lane change. While Trooper Barnes was talking to the driver, Craig M. Canady, Sr., he detected the odor of marijuana and became suspicious of Canady's behavior.

2) Trooper Barnes asked Canady for permission to search both the cab and trailer and Canady gave written consent. A search of the trailer resulted in the discovery of approximately 700 pounds of marijuana.

3) The stop of Defendant's vehicle was a lawful traffic stop and the search was conducted only after written consent was executed by the driver of the truck.

Wherefore, premises considered, the United States submits that the motion to suppress is due to be denied.

Respectfully submitted this the 8th day of March, 2006.

LEURA GARRETT CANARY  
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CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kevin L. Butler.

Respectfully submitted,

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